



A handwritten signature in black ink, appearing to read "CMA", followed by a horizontal line.

Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

Christopher M. Alston
Bankruptcy Judge
United States Courthouse
700 Stewart Street, Suite 6301
Seattle, WA 98101
206-370-5330

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re

Chapter 7

City of Everett,

Case No. 25-10027

Debtor.

ORDER DISMISSING CASE

This matter came before the Court *sua sponte*. The Court reviewed the files and records herein. Eddie Alexander Banks Estate (the "Petitioning Creditor") commenced this case as an involuntary chapter 7 proceeding against the City of Everett on January 6, 2025. The Petitioning Creditor asserts a claim of \$10,313,687.75 against the City of Everett. The same day, the Clerk of the Bankruptcy Court automatically issued a summons to the Petitioning Creditor that contained instructions for service.

1 An involuntary petition may be filed only under chapter 7 or chapter 11 of the
2 Bankruptcy Code¹. 11 U.S.C. §303(a). Section 109(b) of the Bankruptcy Code limits eligibility
3 for chapter 7 bankruptcy to a “person.” The definition of “person” excludes “governmental
4 units” with certain exceptions not applicable to this case. 11 U.S.C. §101(41). The Bankruptcy
5 Code defines “governmental unit” to include “a municipality.” 11 U.S.C. §101(27). The Court
6 takes judicial notice of the fact that the City of Everett is a municipality in the State of
7 Washington. *See* Everett City Charter, as amended by Ordinance 3605-18 (2018). Consequently
8 no one may file an involuntary petition against the City of Everett. *See In re City of Detroit,*
9 *Mich.*, 841 F.3d 684, 697 (6th Cir. 2016) (there are no provisions in the Bankruptcy Code for the
10 involuntary bankruptcy of a municipality). Now, therefore, it is hereby

11 ORDERED that this case is DISMISSED.

12 ///END OF ORDER///
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¹ All references to the “Bankruptcy Code” mean Title 11 of the United States Code.